IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 26TH JULY 2007 / 4TH SRAVANA 1929

WP(C).No. 22807 of 2007(M)

PETITIONER:

D.NARAYANA BHAT, S/O VENKATRAMANA BHAT,
DEVASYA HOUSE, P.O.KANNUR (VIA) KUMBALA.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENTS:

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1. RTA KASARGOD,
REPRESENTED BY ITS SECRETARY.

2. THE SECRETARY, RTA
KASARGOD.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.22807 OF 2007

DATED THIS THE 26th DAY OF JULY, 2007

JUDGMENT

The petitioner challenges Ext.P4 order of the R.T.A., Kasargod, whereby the petitioner's application for a regular permit was rejected on the ground that the proposed route has six termini and is not a route as defined under Section 2(38) of the Motor Vehicles Act. On going through the definition of 'route' I am satisfied that permit can be issued only in respect of a 'route' as defined in Section 2(38) of the Act having only two termini and going by Ext.P3 the route proposed by the petitioner has more than two termini. Therefore, as the application of the petitioner presently stands, clearly, Ext.P4 cannot be faulted. However, it would be open to the petitioner to file a fresh application for a permit having termini as defined in Section 2(38). With the above observation the writ petition is disposed of.

S. SIRI JAGAN, JUDGE

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